

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ALBERT FORD,	)	
	)	
Plaintiff,	)	
v.	)	CIVIL ACTION
	)	NO. 07-11457-JLT
JAMES BENDER, et al.,	)	
	)	
Defendants.	)	

**SCHEDULING ORDER AND  
ORDER ON PENDING MOTIONS**

On June 27, 2008, this court held a conference to address the status of matters pending before the court. After consideration of the parties' positions, it is hereby ORDERED as follows:

1. As agreed, the "DOC Defendants' Motion to Dismiss, or in the Alternative, for Summary Judgment" (Docket No. 31) shall be WITHDRAWN. Nothing herein shall preclude the DOC defendants from filing an appropriate motion at a later time.
2. The plaintiff shall file an amended complaint by **July 11, 2008**.
3. By **July 18, 2008**, the parties shall file a proposed schedule, which shall include a deadline for the DOC defendants to answer the amended complaint, as well as deadlines for the completion of discovery. In addition, the parties shall notify the court as to how they expect the case to proceed.

4. In light of plaintiff's counsel's agreement to refile discovery requests, the "DOC Defendants' Motion to Stay Discovery" (Docket No. 35) and the "Plaintiff's Motion to Stay the Proceedings Until Defendants Respond to Plaintiff's Good Faith Discovery Request" (Docket No. 36) shall be WITHDRAWN.

/s/Judith Gail Dein

Dated: June 27, 2008

Judith Gail Dein  
United States Magistrate Judge